<u>REMARKS</u>

The foregoing amendments and the remarks that follow are meant to impart precision to the claims, and more particularly point out the invention, rather than to avoid prior art.

Claims 1-7, 9-15, and 17-23 are pending in the application. Claims 1-7, 9-15, and 17-23 were rejected. Claims 1, 9, and 17 have been amended. No new matter has been added.

Claim Objections

With regard to claims 1, 9, and 17, the Examiner objected to the informality of claim awkwardness, and graciously proposed suggested claim amendments to address the objection. Applicants appreciate the Examiner's suggestion and accordingly have amended claims 1, 9, and 17 to recite "save in a second personal folder." Applicants respectfully submit that the objection has been overcome.

35 U.S.C. 101

Claims 1-7 and 9-15 were rejected under 35 U.S.C. 101 because, as the Examiner contends, the claimed invention is directed to non-statutory subject matter. Applicants have amended independent claim 1 to recite a "computing device" to perform each of the recited steps. Applicants have amended independent claim 9 to recite a "computer system" that includes "a computing device having at least one information handling system." Accordingly, Applicants respectfully submit that the claims clearly recite statutory subject matter and that the rejection has been overcome.

35 U.S.C. 103

Claims 1-7, 9-15, and 17-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,865,599 ("Zhang") in view of U.S. Patent No. 6,708,172 ("Wong") in view of U.S. Patent App. Pub. No. 2002/0133561 ("O'Brien").

The Cited Prior Art As Combined Are Inconsistent and Incompatible

The Examiner cited the combination of Zhang, Wong, and O'Brien to reject all of the claims. Fundamentally, Zhang discloses a peer-to-peer system. Indeed Zhang is entitled "Browser-to-Browser, DOM-Based, Peer-to-Peer Communication with Delta Synchronization." On the other hand, Wong fundamentally discloses a client/server architecture as shown, for example, in Figure 4. (See, e.g., Wong, col. 14, lines 38-46 ("The system 400 includes client 410 and a server 450.").) Likewise, O'Brien also discloses a "Client" and "Web Servers" in its client/server architecture. (See, e.g., O'Brien, Figure 1.) Thus, Zhang and Wong/O'Brien concern mutually exclusive architectures to address inconsistent design goals unique to each architecture. Thus, by their incompatibility, the proposed combination of these prior art references would result in an inoperative system. As such, the cited prior art combination fails to disclose, teach, or otherwise suggest Applicants' claimed inventions. For this reason alone, all of the claims are patentable over the cited prior art.

The Prior Art Fails To Teach: "the translated excerpt including a user-specified item of music"

Claim 1 recites, inter alia: "the translated excerpt including a user-specified item of music." Claims 9 and 17 recite similar limitations. The cited prior art does not disclose this claim limitation.

In this regard, the Examiner cited column 14, lines 41-44 of Zhang. Hypothetically assuming Zhang can be properly combined with the other cited prior art references -- and it is not so properly combined -- Zhang here discloses "audio and movies from one browser [that] will be shareable and controllable from another browser." (Zhang, col. 14, lines 42-44.) The Examiner's attempt to equate "audio and movies" as the claimed translated excerpt is not only incorrect, but also inconsistent with other of the Examiner's contentions.

Importantly, the Examiner cited the "event" disclosed in Zhang as disclosing the claimed excerpt translated into an XML format. (Office Action, at 4.) With respect to the disclosed event, Zhang explains: "The event is encoded by Broker 1 in XML, with object references serialized in XPointer expressions." (Zhang, col. 9, lines 5-6.) Thus, the Examiner equates the "event" disclosed in Zhang with the claimed excerpt.

Under this approach by the Examiner, the "audio and movies" disclosed in Zhang cannot also equate with the claimed excerpt -- i.e., "audio and movies" and "event," as disclosed in Zhang are different. By its express terms, Zhang discloses that, as would be true for audio, a "movie is an *embedded object* to the browsers." (Zhang, para. 18 (emphasis added).) In contrast, Zhang discloses that an event is, for example, a mouse click, "onmousemove," "ondrag," "onresize," "onscroll," "onselectionchange," etc. -- things that act *on* objects, not the objects themselves. (See Zhang, col. 7, lines 40-42; col. 11, lines 30-34 ("events on disable objects should generally be filtered.") As an example, Figure 18 in Zhang explains that, while a movie is an "object," the "movie is automatically started by the *event*."

Thus, the "audio and movies" of Zhang do not disclose the claimed excerpt including a user-specified *item of music*, as claimed. Nor do the "events" of Zhang, as mere things that act on objects (e.g., a mouse click), disclose the claimed excerpt including a user-specified *item of music*. Thus, claims 1, 9, and 17, as well as their dependent claims, are patentable.

<u>The Prior Art Fails To Teach: "synchronizing, via the computing device, the translated excerpt with the second information handling system by communicating with a third information handling system associated with a server"</u>

As amended, claim 1 recites, inter alia: "synchronizing, via the computing device, the translated excerpt with the second information handling system by communicating with a third information handling system associated with a server." Claims 9 and 17 recite similar claim limitations. In this regard, the Examiner with no explanation splintered this claim limitation into component parts in an attempt to fit them within the inapposite disclosures of Zhang and Wong. As discussed above, the two references are incompatible and cannot be combined.

Even if incorrectly combined, Zhang and Wong both individually and in combination fail to disclose this claim limitation. Zhang fails to disclose any kind of synchronization performed in connection with a third information handling system *associated with a server*. This is so because Zhang is exclusively concerned with *peer-to-peer* communications, which by their very design preclude contemplation and implementation of a server. (See, e.g., Zhang, Figure 2 (disclosing "Peer 1" and "Peer 2").) Likewise, Wong discloses merely the unremarkable, generalized notion of a server in the portions cited by the Examiner. Indeed in the long listing of functions performed by the Wong server, (Wong, col. 18, lines 51-62 ("user authentication," "user management," "plot storage," "plot management," etc.).), there is no mention whatsoever

of *synchronizing*, much less any disclosure regarding *synchronizing the translated excerpt*, as claimed. Thus, claims 1, 9, and 17 are patentable for this additional reason.

> ### The Prior Art Fails To Teach: "saving, via the computing device, the translated excerpt in a first personal folder associated with a user of the first information handling system"

As amended, claim 1 recites, inter alia: "saving, via the computing device, the translated excerpt in a first personal folder associated with a user of the first information handling system." Claims 9 and 17 recite similar claim limitations. The Examiner cited O'Brien, which does not disclose this claim limitation.

Paragraph 133 of O'Brien, which was cited by the Examiner, discloses: "As shown in Figure 11, the Save to My Xdrive system 1100 first has the user 1110 submit the URL at step 1112." Thus, the Examiner contends that the URL is the claimed translated excerpt that is saved. Such a contention, however, is refuted by the plain words of O'Brien. Paragraph 136, which was not cited by the Examiner, appears to be the sole disclosure of "saving" that relates to the cited discussion in O'Brien. That paragraph explains that the "data transmitted by the URL is then saved in temporary X:Drive space in step 1172, with the data being transferred then to the user data space at step 1174."

The citation of O'Brien in this regard is thus clearly unpersuasive for at least two reasons. First, the URL disclosed in O'Brien as the claimed translated excerpt is again inconsistent with the "event" disclosed in Zhang as the claimed translated excerpt. Second, O'Brien fails to disclose any translation of the disclosed URL into XML, as claimed. Indeed, O'Brien teaches away from the claimed translation because O'Brien expressly saves the URL without any kind of translation. Thus, claims 1, 9, and 17 are patentable for this additional reason.

> ### The Prior Art Fails To Teach: "a version of the translated excerpt saved in a second personal folder associated with the user of the second information handling system"

As amended, claim 1 recites, inter alia: "a version of the translated excerpt saved in a second personal folder associated with the user of the second information handling system." Claims 9 and 17 recite similar claim limitations. The Examiner cited O'Brien, which does not disclose this claim limitation.

Paragraph 143 and Figure 13 of O'Brien disclose a "second frontmost window 1310 of Fig. 13 . . . and shows the presence of a drive at logical letter X:1312." Even if the Examiner contends that this discloses a personal folder, the disclosure still discloses only a *single* folder for potentially one user. That purported single folder, which is shown as element 1312 and accessed by location directory 1322, cannot constitute *both* 1) the claimed first personal folder associated with a user of the first information handling system and 2) a *second* personal folder associated with the *user of the second information handling system*. Figure 13 of O'Brien, and the other cited portions thereof, fail to disclose *two different personal folders* associated with *different users*, as claimed. Claims 1, 9, and 17 are patentable for this additional reason.

Accordingly, independent claims 1, 9, and 17 are patentable. The dependent claims are patentable both by their dependence on patentable independent claims and in their own right. While all of the Examiner's rejections are respectfully traversed, it is submitted that the foregoing reasons are sufficient to demonstrate the patentability of the pending claims without further address of any remaining rejections.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

Authorization is hereby given to charge our Deposit Account No. 50-2638 for any charges that may be due. Furthermore, if an extension is required, then such an extension is hereby requested.

Respectfully submitted,

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